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Loose Lips

Tightening up on secrets

Like many of its predecessors, the Reagan Administration would like to clamp down on the unofficial disclosure of sensitive Government information. That intention received a major boost last week when the House passed an unexpectedly tough bill outlawing the unauthorized identification of undercover agents if such a revelation would "impair or impede" U.S. intelligence operations. The measure quickly raised objections from legal scholars, journalists and civil libertarians.

Revelations about the CIA, notably by former Agents Philip Agee and Frank Snepp, have provoked a widespread desire in both Congress and the White House for laws that would help prevent such disclosures. The House Intelligence Committee last July produced a bill that would punish only those leakers who demonstrated intent to impair intelligence operations deliberately. That would have exempted from prosecution journalists and others whose purpose in disclosing an agent's identity is not to harm intelligence gathering but merely to report on U.S. activities abroad. But the full House last week adopted a stern amendment offered by Republican John Ashbrook of Ohio that would make it a felony to disclose the identity of intelligence agents, even when the names come from publicly available information. A bill similar to Ashbrook's, now before the Senate Judiciary Committee, is likely to be passed by the Senate in the current session.

Opponents of the Ashbrook measure argue that it would restrict First Amendment rights of freedom of speech and of the press by preventing private citizens from exposing illegal intelligence activities and from publishing information that may already be in the public domain. Ashbrook counters that identifying secret agents "is not now, nor has it ever been, a civil or constitutional right."

The day after the House action, CIA Director William Casey told a Senate Judiciary subcommittee that U.S. intelligence organizations should be exempted from the Freedom of Information Act. The act, he testified, "seriously impairs intelligence functions without significant public benefit." Earlier, the Justice Department repealed Carter Administration guidelines that limited the Government's ability to prosecute federal employees who disclose sensitive information. Attorney General William French Smith and Deputy Secretary of Defense Frank Carlucci have sent their top aides what one calls "threatening little memos" about unauthorized leaks. Though other Administrations have had little success at finding ways to plug such leaks, the Reagan team seems determined to try.